

R. Collin Middleton  
 Jacquelyn R. Luke  
 Middleton, Timme & Luke  
 550 West 7th, Suite 1600  
 Anchorage, Alaska 99501  
 (907) 276-3390

Attorneys for Koniag, Inc.

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF ALASKA

OMAR STRATMAN, TONI BURTON,  
 JOHN MURRAY, and MICHAEL  
 DEVERS,

Plaintiffs,

vs.

BRUCE BABBITT, Secretary of  
 the Interior; ANTON LARSEN,  
 INC.; LEISNOI, INC.; and  
 KONIAG, INC., Regional Native  
 Corporation,

Defendants.

No. A76-0132-CV (JKS)

AFFIDAVIT OF JACQUELYN R. LUKE

STATE OF ALASKA )

) ss.

THIRD JUDICIAL DISTRICT )

I, Jacquelyn R. Luke, being duly sworn, deposes and says as follows:

1. I am an attorney for Koniag in the above-referenced matter.

2. I was personally acquainted with Mr. Edward Weinberg, the attorney for Koniag, Inc. during the d-2 legislation, having worked for his law firm, Duncan, Brown, Weinberg and Palmer as a law clerk in 1976 and 1977 while I attended law school.

EXHIBIT 5  
 PAGE 1 OF 2 PAGES

3. When this firm took over the representation of Koniag in the mid-1980's, I contacted Mr. Weinberg and requested that he send us his Koniag files. He agreed to do so, and sent us a substantial number of files, most or all of which we turned over to Koniag.

4. During the past several weeks, I have reviewed the files which were received from Mr. Weinberg relating to the d-2 legislation. The documents attached to this Affidavit as Exhibits A and C through G are true and correct copies of documents which I found in Mr. Weinberg's files.

5. The documents attached as Exhibit B are not from Mr. Weinberg's files, but are true and correct copies of the pertinent documents relating to the acquisition by Koniag and Afognak Native Corporation of Leisnoi's interest in the Afognak Joint Venture.

Jacquelyn R. Luke  
Jacquelyn R. Luke

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of June, 1995, at Anchorage, Alaska.

Illa O. Flowers  
Notary Public in and for Alaska  
My Commission Expires: 7-25-98

MIDDLETON, TIMME & LUKE  
LAW OFFICES  
SUITE 1600  
550 WEST SEVENTH AVENUE  
ANCHORAGE, ALASKA 99501  
(907) 276-3390

EXHIBIT 5  
PAGE 2 OF 2 PAGES

EXHIBIT 1  
Page 2 of 12 Pages